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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 11, 2009.

John J. Kelly, Jr.

Reg. No.: 29,182

Examiner : Mark L. Shevin
Art Unit : 1793
Docket No. : 52433/786
Conf. No. : 2220



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : T. MIZOGUCHI et al.
Serial No. : 10/521,950
Filed : September 29, 2005
For : STEELS WITH FEW ALUMINA CLUSTERS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL
PURSUANT TO 37 C.F.R. §41.31(a)**

SIR:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated August 12, 2008 of the Supervisory Examiner finally rejecting claims 1 to 9 in the above-identified patent application.

- ☒ Please charge the fee of Five Hundred Forty Dollars (\$540.00) for filing a Notice of Appeal to Deposit Account 11-0600. A duplicate of this paper is enclosed.
- ☒ Please charge any additional required fee or deficiency of fee associated with this appeal to Deposit Account 11-0600. A duplicate of this paper is enclosed.
- ☒ A petition for a three (3) month extension of time and deposit account authorization to cover the extension fee accompanies this Notice of

02/18/2009 CCHAU1 00000022 110600 10521950 Appeal.

01 FC:1401 540.00 DA

Date: February 11, 2009
KENYON & KENYON LLP
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New York, N.Y. 10004
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Respectfully submitted,
KENYON & KENYON LLP

By:

John J. Kelly, Jr.
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